

REMARKS

Claims 1-16 are currently pending in the application. Claims 1, 5, 8, and 13 have been amended. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,671,256 to Xiong et al. (“Xiong”). Xiong relates to a system and method for reserving data channels in an optical burst-switched network. Applicant respectfully submits that Xiong fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a token adapted to bear availability information related to an available space within a wavelength across an optical network and broadcast the availability information across the optical network. In addition, respectfully submits that Xiong fails to teach or suggest, based upon the availability information, issuing by a source node, of a reservation request.

Xiong discloses reserving a data channel along an optical path in an optical burst-switched network by first transmitting a data channel reservation request from an electronic ingress edge router to a reservation termination node. Next, the data channel reservation request is processed to all nodes along a path. A data channel reservation acknowledgement is then transmitted from the reservation termination node to the electronic ingress edge router. However, if no unreserved outbound data channel is found, a negative acknowledgement message is transmitted to the electronic ingress edge router.

In contrast to claim 1, there is no teaching or suggestion by Xiong of a token adapted to bear availability information related to an available space within a wavelength and broadcast the availability information across an optical network. Based upon the availability information, issuing by the source node, of a reservation request. In Xiong, the electronic ingress edge router (source node) is unaware of a network status when a reservation request is issued. More particularly, the electronic ingress edge router appears to have limited knowledge of available resources in the network. In Xiong, the reservation request issued by the electronic ingress edge router is not based upon the availability information as claimed. Applicant respectfully submits

that claim 1 distinguishes over Xiong and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by Xiong is respectfully requested.

Dependent claims 2-4 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2-4 distinguish over Xiong and are in condition for allowance. Withdrawal of the rejection of dependent claims 2-4 is respectfully requested.

Independent claim 5 is directed to a method for configuring lightpaths within an optical network. Applicant respectfully submits that Xiong fails to teach or suggest at least one of the distinguishing features of independent claim 5, namely, a token adapted to bear availability information related to an available space within a channel and broadcast the availability information across an optical network. In addition, Applicant respectfully submits that Xiong fails to teach or suggest, based upon the availability information, issuing by a source node, of a reservation request. In Xiong, the reservation request issued by the electronic ingress edge router is not based upon the availability information as claimed. Applicant respectfully submits that claim 5 distinguishes over Xiong and is in condition for allowance. Withdrawal of the rejection of claim 5 as anticipated by Xiong is respectfully requested.

Dependent claims 6-7 depend from and further restrict independent claim 5 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 5, dependent claims 6-7 distinguish over Xiong and are in condition for allowance. Withdrawal of the rejection of dependent claims 6-7 is respectfully requested.

Independent claim 8 is directed to an optical network. Applicant respectfully submits that Xiong fails to teach or suggest at least one of the distinguishing features of independent claim 8, namely, a token adapted to bear availability information related to an available space within a wavelength and broadcast the availability information across the optical network. In addition, Applicant respectfully submits that Xiong fails to teach or suggest, based upon the availability information, the source node is adapted to issue a reservation request. In Xiong, the reservation request issued by the electronic ingress edge router is not based upon the availability

information as claimed. Applicant respectfully submits that claim 8 distinguishes over Xiong and is in condition for allowance. Withdrawal of the rejection of claim 8 as anticipated by Xiong is respectfully requested.

Dependent claims 9-12 depend from and further restrict independent claim 8 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 8, dependent claims 9-12 distinguish over Xiong and are in condition for allowance. Withdrawal of the rejection of dependent claims 9-12 is respectfully requested.

Independent claim 13 relates to a node within an optical communication network. Applicant respectfully submits that Xiong fails to teach or suggest at least one of the distinguishing features of independent claim 13, namely, a token adapted to bear availability information related to an available space within a wavelength and broadcast the availability information across an optical communication network. In addition, Applicant respectfully submits that Xiong fails to teach or suggest, based upon the availability information, the controller is adapted to issue a reservation request. In Xiong, the reservation request issued by the electronic ingress edge router is not based upon the availability information as claimed. Applicant respectfully submits that claim 13 distinguishes over Xiong and is in condition for allowance. Withdrawal of the rejection of claim 13 as anticipated by Xiong is respectfully requested.

Dependent claims 14-16 depend from and further restrict independent claim 13 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 13, dependent claims 14-16 distinguish over Xiong and are in condition for allowance. Withdrawal of the rejection of dependent claims 14-16 is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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